

**Blair, Connor**

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**From:** Sweeney, John Parker  
**Sent:** Friday, April 12, 2024 11:50 AM  
**To:** Blair, Connor  
**Subject:** Fwd: NYSRPA v. James - proposed Second Amended Complaint

Begin forwarded message:

**From:** "Thomas-Jensen, Molly" <Molly.Thomas-Jensen@ag.ny.gov>  
**Date:** April 11, 2024 at 1:33:45 PM CDT  
**To:** "Sweeney, John Parker" <JSweeney@bradley.com>, "Krasnokutski, Shannan" <Shannan.Krasnokutski@ag.ny.gov>, rreissman@nassaucountyny.gov, stacy.skorupa@suffolkcountyny.gov  
**Subject:** Re: NYSRPA v. James - proposed Second Amended Complaint

Hi John –

Thanks for reaching out. We can consent to the filing of the second amended complaint. We'd like to ask for some additional time in briefing our motion to dismiss given some other scheduling issues. The State would like to propose this schedule:

- April 15: Plaintiffs file second amended complaint
- May 13: Defendants file answers or motions to dismiss
- June 3: Plaintiffs oppose any motions to dismiss
- June 10: Reply briefs for motions to dismiss due

Please let me know if this works for you.

Thanks,  
Molly

**Molly Thomas-Jensen | Special Counsel**  
She/Her/Hers  
NYS Office of the Attorney General  
28 Liberty Street | 18th Floor | New York, NY 10005  
O: 212-416-8679  
M: 917-526-0586  
Molly.Thomas-Jensen@ag.ny.gov

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**From:** Sweeney, John Parker <JSweeney@bradley.com>  
**Sent:** Wednesday, April 10, 2024 10:54:18 AM  
**To:** Thomas-Jensen, Molly <Molly.Thomas-Jensen@ag.ny.gov>; Krasnokutski, Shannan <Shannan.Krasnokutski@ag.ny.gov>; rreissman@nassaucountyny.gov <rreissman@nassaucountyny.gov>; stacy.skorupa@suffolkcountyny.gov <stacy.skorupa@suffolkcountyny.gov>  
**Subject:** NYSRPA v. James - proposed Second Amended Complaint

[EXTERNAL]

Good morning, Counsel,

I am requesting your consent to amend our complaint. We have reviewed and considered the arguments raised in the State Defendants' amended memorandum in support of their motion to dismiss. We believe it is more expeditious and economical for all the parties and the Court to proceed by amendment rather than for us to respond to your renewed motion to dismiss a complaint that has become, as you point out in your renewed motion papers, outdated in certain respects.

You will recall we previously amended the complaint before responsive pleadings were filed. FRCP Rule 15 requires that we now obtain your consent or leave of Court for further amendment at this time.

As you can see from the attached redline document that compares the operative Amended Complaint with the Second Amendment Complaint we intend to file, the proposed Second Amended Complaint:

- Identifies Steven G. James as the current Acting Superintendent of the New York State Police and makes other typographical, non-substantive changes. Drops Justice McNally as a Defendant
- Drops Plaintiffs' claim for injunctive relief against the Acting Superintendent regarding his enforcement of the CCIA's application and renewal processes' good moral character requirement.
- Updates the factual allegations relating to the individual plaintiffs' Handgun Carry Licenses and the sensitive and restricted places they challenge.
- Drops the individual Plaintiffs' challenge to the CCIA's application process, updates the factual allegations relating to Plaintiffs Stirnweis's and Francis's challenge to the CCIA's renewal process, and drops the remaining individual Plaintiffs' challenge to the CCIA's renewal process.

May we have your consent to amend our complaint consistent with the attached?

Failing that would you agree not to oppose our motion for leave to amend and for a 15-day extension to respond to your renewed motion to dismiss should the motion for leave be denied?

Either way, I would appreciate the courtesy of your responses by 10am Friday in light of Monday's approaching deadline for us to respond to your renewed motion to dismiss.

Should you wish to discuss, I can be reached at the mobile number below.

Thank you.

With regards,

John Parker Sweeney

Cell: 410-458-5653

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